

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY  
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**WORKSESSION MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, July 27, 2011, 9:30 a.m.**

**ACTION ITEMS:**

1. Minutes, July 13 and July 20, 2011 Worksessions.

Action: (1) Approved 7/13/2011 Minutes, (CJS/SBB, 4-0/WSB/abstained); (2) approved 7/20/2011 Minutes, (SBB/WSB, 5-0).

2. **A-6117, Appeal of Mary Hemingway and Edward Purich for Cloverly Civic Association** (Department of Permitting Services (DPS) – Issuance of Building Permit No. 402806). Order from the Circuit Court.

Action: Re-opened the record to include the Order from the Circuit Court, (CJS/WSB, 5-0).

3. **CBA-2117-A, Petition of Francis J. Collins Funeral Home, Inc.** (funeral parlor). Letter to the Board from John McHugh submitting information required by special exception condition Nos. 6 and 10 through 16.

Action: Re-opened the record to include Mr. McHugh's letter with attachments, (SBB/CJS, 5-0).

4. **S-420-H, Petition of Holy Cross Hospital** (hospital). Letter to the Board from Robert Dalrymple, Esquire and Heather Dlhopsky, Esquire, requesting a 6-month extension.

Action: Granted 12-month extension of time, (DKP/CJS, 5-0).

5. **S-789, Petition of Lewin and Harriet Warren** (child day care facility). Memorandum from Heather Gottke, Inspector, Department of Permitting Services (DPS), notifying the Board that the special exception has been abandoned and requesting that it be revoked.

Action: Revoked the special exception as abandoned, (CJS/SBB, 5-0).

6. **S-1477, Petition of Richard S. Nemes, D.D.S.** (non-resident medical practitioner). Letter from the petitioner notifying the Board that special exception has been abandoned and requesting that it be revoked.

Action: Revoked the special exception as abandoned, (WSB/SBB, 5-0).

7. Returning Item. **S-2644, Petition of Greencastle Lakes Community Association, Inc.** (community swimming pool). Letter from Ruchita Patel, Agent, submitting information requested by the Board at it's 6/15/2011 Worksession.

Action: Re-opened the record to include Ms. Patel's letter, (SBB/DKP, 5-0).

8. **S-2644, Petition of Brenneman and Pagenstecher, Inc.** (non-resident professional office). Letter to the Board from Norman Knopf, Esquire, requesting an inspection of the special exception for compliance.

Action: Referred Mr. Knopf's letter to DPS for inspection, (DKP/SBB, 5-0).

#### **DECISION ITEM:**

9. **S-2802, Petition of Norbeck Montessori Day School, Inc.** (private educational Institution). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's Report and Recommendation; (2) granted the special exception as amended with conditions, (DKP/CJS, 5-0).

#### **PENDING ITEMS:**

10. **S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (service organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details]. Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/10].
11. **S-894, Petition of Joan C. Wright** (major home occupation). Letter to the Board from the petitioner requesting an administrative modification. Item deferred for additional information regarding the number of employees, size of the workspace, renewal period. [W/S 3/11/09].
12. **S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (telecommunications facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobil Systems, Inc. [W/S 4/30/08].

**PENDING ITEMS (continued):**

13. **S-2351-A [A-5787, A-5794, A5832, A-5886, A-5917], Petition of Mid-Atlantic Petroleum Properties, LLC** (automobile filling station). Hearing Examiner's Report and Recommendation. Also included is are requests for oral argument and/or a remand to the Hearing Examiner from Stanley Abrams, Esquire and a request for oral argument from Norman Knopf, Esquire. (1) Denied request for remand; (2) granted the request of oral argument. [W/S 7/13/2011].
14. **S-2792, Petition of Jaime and Angela Enriquez** (accessory apartment). Hearing Examiner's Report and Recommendation. Also included are requests for oral argument from the Petitioners and Geoff Patton. (1) Granted the request for oral argument. (2) Oral argument scheduled for 7/13/2011 at 10 a.m. [W/S 5/25/2011].

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